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[G.C. §6103]

Atorneys for Defendants
COUNTY OF ALAMEDA, GREGORY J. AHERN,
DAVID LINCOLN and JESUS RUBALCABA-GOMEZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND BRANCH

SUSIE ZAHN, individually and as successor-in-interest to Decedent GARY OLDHAM,

CASE NO.: 4:17-cv-1107-DMR

Plaintiff,

**STIPULATION FOR ENTRY OF ORDER
OF DISMISSAL AND [PROPOSED]
ORDER**

COUNTY OF ALAMEDA, municipal corporation; GREGORY J. AHERN, individually and in his capacity as Sheriff for the Alameda County Sheriff's Department; DAVID LINCOLN, individually and in his capacity as Deputy Sheriff for the Alameda County Sheriff's Department; JESUS RUBALCAVA-GOMEZ, individually and in his capacity as Deputy Sheriff for the Alameda County Sheriff's Department; and DOES 1-25, inclusive, individually, jointly and severally,

Defendants.

WHEREAS all parties to this action, namely, Plaintiff SUSIE ZAHN, individually and as successor-in-interest to Decedent GARY OLDHAM and Defendants COUNTY OF ALAMEDA, GREGORY J. AHERN, DAVID LINCOLN and JESUS RUBALCAVA-GOMEZ, and each of them (the "Settling Parties"), have reached a mutual and amicable settlement and have entered into a separate agreement for settlement of this action, the terms of which are set forth in writing in the "Settlement Agreement and Release of all Claims" ("the Settlement Agreement"), to fully

1 and finally resolve all matters concerning the Settling Parties without trial;

2 WHEREAS the Settlement Agreement covers all the claims between the Settling Parties
3 in this action;

4 WHEREAS the Settling Parties agree to pay their own attorney fees and costs; and

5 WHEREAS there are no further issues for the Court to resolve as between the Settling
6 Parties,

7 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

8 1. This action, including each of Plaintiff's causes of action set out in Plaintiff's
9 Complaint in the above-captioned action against all named defendants, shall be dismissed with
10 prejudice, with each party to bear its own attorney fees and costs.

11 IT IS SO STIPULATED.

12 DATED: December 15, 2017

LAW OFFICES OF JOHN L. BURRIS

13 _____
14 /s/
15 Lateef H. Gray, Esq.
Attorney for Plaintiff

16 DATED: December 15, 2017

EDRINGTON, SCHIRMER & MURPHY LLP

17 _____
18 /s/
19 Timothy P. Murphy, Esq.
20 Attorney for Defendants COUNTY OF
ALAMEDA, GREGORY J. AHERN, DAVID
LINCOLN, and JESUS RUBALCAVA-GOMEZ

21 **ORDER**

22 Good cause appearing, it is so ordered.

23 DATED:

24 By _____
25 MAGISTRATE JUDGE DONNA M. RYU

26
27

CERTIFICATION BY TIMOTHY P. MURPHY PURSUANT TO LOCAL RULE NO.5-1,
SECTION (i)(3). RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES

1. I am an attorney licensed to practice law in the State of California, and am an attorney in the law firm of Edrington, Schirmer & Murphy LLP, counsel for Defendants COUNTY OF ALAMEDA, GREGORY J. AHERN, DAVID LINCOLN and JESUS RUBALCAVA-GOMEZ. The statements herein are made on my personal knowledge, and if called as a witness, I could and would testify thereto.

2. The above e-filed document contains multiple signatures. I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court. Pursuant to Local Rule 5-1, section (i)(3), I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

I declare under penalty of perjury under the laws of the United States of California that the foregoing is true and correct on December 15, 2017.

/s/
Timothy P. Murphy